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| 10/775,095 | 02/11/2004 | Takashi Imai | 03500.100171. | 1582 |

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| EXAMINER |
|---|
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _28 July 2009_.

2a)☐ This action is **FINAL**.          2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _34, 37, 40 and 43-44_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _34, 37, 40 and 43-44_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _February 11, 2004_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All    b)☐ Some *    c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

## DETAILED ACTION

1.      This is an office action based on a request for continued examination under 37 CFR 1.114

filed on July 28, 2009.

2.      Claims 34, 37 and 40 have been <u>amended</u>.

3.      Claims 1-33, 35-36, 38-39 and 41-42 have been <u>cancelled</u>.

4.      Claims 43-44 are <u>newly added</u> for consideration.

5.      Claims 34, 37, 40 and 43-44 are currently <u>pending</u>.


### *Request for Continued Examination (RCE)*

6.      A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection.  Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114.  Applicant's submission filed on July 28, 2009 has been entered.


### *Claim Rejections - 35 USC § 102*

7.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8.      Claims 34, 37, 40 and 43-44 are rejected under 35 U.S.C. 102(b) as being anticipated by

<u>Tanaka</u> (U.S. Pub. No. 2002/0044295 A1).

**With regard to claim 34,** the claim is drawn to an image processing apparatus which comprises plural card slots in which plural kinds of detachable memory cards are respectively inserted *(see Tanaka, i.e. Fig. 1A "Printer Device")*, comprising:

a reading unit configured to read out data from memory cards inserted in the card slots *(see Tanaka, i.e. Fig. 2, Card Interfaces 25-27; as well as para. [0044]-[0046] for further details)*;

an access control unit configured to set a card slot as an accessible card slot which the reading unit can access and to set a card slot other than the accessible card slot as inaccessible *(see Tanaka, i.e. Fig. 2, 1-chip Microcomputer 28 and para. [0047] discloses that 1-chip microcomputer controls the operation of entire printer device; also Fig. 1B, discloses "Memory Card Selection Unit 20")*;

a checking unit configured to check whether a memory card is inserted in each of the plural card slots, in order *(see Tanaka, i.e. Fig. 2, 1-chip Microcomputer 28 and para. [0047] discloses that 1-chip microcomputer controls the operation of entire printer device; and Fig. 3, Steps S302 – S304; and in para. [0061] discloses that "... it is sequentially determined whether or not a memory card containing image data readable and displayable to each card slot has been inserted therein ...")*; and

a determining unit configured to determine which card slot has been set to have a priority relative to others of the plural card slots *(see Tanaka, i.e. Fig. 2, 1-chip Microcomputer 28 and para. [0047] discloses that 1-chip microcomputer controls the operation of entire printer device; and para. [007] discloses that "... each card slot is assigned in advance  a priority number, ... the card slot 1(drive A), the card slot 2 (drive B), and the card slot 3 (drive C) are arranged in*

*order from the highest priority. The process of determining whether or not a memory card has*

*been inserted in the process flow is performed in the priority order..."; also see Fig. 3-5 for*

*further details),*

wherein, in a case where a first memory card is inserted in a first checked card slot which

is first checked by the checking unit, the access control unit sets the first checked card slot in

which the first memory card is inserted as the accessible card slot, if the determining unit

determines that the first checked card slot has been set to have the priority *(see Tanaka, i.e. Fig.*

*4, Step S401, checking if Card A is being inserted, and if Yes, proceed to Step S402 for the*

*process of read checking; and para. [0077]-[0078] assigning of a priority number and further*

*details),*

and sets a second card slot in which a second memory card is inserted as the accessible

card slot if the determining unit determines that the first checked card slot has not been set to

have the priority and the checking unit finds that the second memory card is inserted in the

second card slot *(see Tanaka, i.e. in addition to illustration of Fig. 3 and 4; see Fig. 5, in Steps*

*S501, S510 and S519 for checking whether memory selection key has been pressed or "set to*

*have the priority"; following by steps, i.e. in Steps S504, S513 and/or S522 for checking whether*

*second memory or third memory is being inserted in the card slot),*

wherein the second card slot is a card slot other than the first checked card slot in which

the first memory card is inserted *(see Tanaka, i.e. Fig. 1A and para. [0043] discloses that the*

*card slots to be three separate slots corresponding to Drives A, B and C respectively).*

**With regard to claim 37,** the claim is drawn to a method of controlling an image

processing apparatus which comprises plural card slots in which plural kinds of detachable

memory cards are respectively inserted *(see Tanaka, i.e. Fig. 1A "Printer Device"; and also Fig.*

*3-5)*, comprising:

reading out data from memory cards inserted in the card slots *(see Tanaka, i.e. Fig. 2,*

*Card Interfaces 25-27; as well as para. [0044]-[0046] for further details)*;

setting a card slot as an accessible card slot which can be accessed to read data and

setting a card slot other than the accessible card slot as inaccessible *(see Tanaka, i.e. Fig. 2, 1-*

*chip Microcomputer 28 and para. [0047] discloses that 1-chip microcomputer controls the*

*operation of entire printer device; also Fig. 1B, discloses "Memory Card Selection Unit 20")*;

checking whether a memory card is inserted in each of the plural card slots, in order *(see*

*Tanaka, i.e. Fig. 2, 1-chip Microcomputer 28 and para. [0047] discloses that 1-chip*

*microcomputer controls the operation of entire printer device; and Fig. 3, Steps S302 – S304;*

*and in para. [0061] discloses that "... it is sequentially determined whether or not a memory*

*card containing image data readable and displayable to each card slot has been inserted therein*

*...")*; and

determining which card slot has been set to have a priority relative to others of the plural

card slots *(see Tanaka, i.e. Fig. 2, 1-chip Microcomputer 28 and para. [0047] discloses that 1-*

*chip microcomputer controls the operation of entire printer device; and para. [007] discloses*

*that "... each card slot is assigned in advance a priority number, ... the card slot 1(drive A), the*

*card slot 2 (drive B), and the card slot 3 (drive C) are arranged in order from the highest*

*priority. The process of determining whether or not a memory card has been inserted in the*

*process flow is performed in the priority order..."; also see Fig. 3-5 for further details)*,

    wherein, in case where a first memory card is inserted in a first checked card slot which is

first checked by the checking step, the first checked card slot in which the first memory card is

inserted is set as the accessible card slot *(see Tanaka, i.e. Fig. 4, Step S401, checking if Card A is*

*being inserted, and if Yes, proceed to Step S402 for the process of read checking; and para.*

*[0077]-[0078] assigning of a priority number and further details)*,

    if the determining step determines that the first checked card slot has been set to have the

priority, and wherein a second card slot in which a second memory card is inserted is set as the

accessible card slot if the determining step determines that the first checked card slot has not

been set to have the priority and the checking step finds that the second memory card is inserted

in the second card slot *(see Tanaka, i.e. in addition to illustration of Fig. 3 and 4; see Fig. 5, in*

*Steps S501, S510 and S519 for checking whether memory selection key has been pressed or "set*

*to have the priority"; following by steps, i.e. in Steps S504, S513 and/or S522 for checking*

*whether second memory or third memory is being inserted in the card slot)*,

    wherein the second card slot is a card slot other than the first checked card slot in which

the first memory card is inserted *(see Tanaka, i.e. Fig. 1A and para. [0043] discloses that the*

*card slots to be three separate slots corresponding to Drives A, B and C respectively)*.

    **With regard to claim 40,** the claim is drawn to a computer-readable storage medium

storing a computer-executable program for controlling an image processing apparatus which

comprises plural card slots in which plural kinds of detachable memory cards are respectively

inserted *(see Tanaka, i.e. Fig. 1A "Printer Device"; Fig. 3-5; and in para.[0047] discloses a*

*control program stored in advance in D-RAM 30 )*, said program comprising the steps of:

reading out data from memory cards inserted in the card slots *(see Tanaka, i.e. Fig. 2,*

*Card Interfaces 25-27; as well as para. [0044]-[0046] for further details)*;

setting a card slot as an accessible card slot which can be accessed to read data and

setting a card slot other than the accessible card slot as inaccessible *(see Tanaka, i.e. Fig. 2, 1-*

*chip Microcomputer 28 and para. [0047] discloses that 1-chip microcomputer controls the*

*operation of entire printer device; also Fig. 1B, discloses "Memory Card Selection Unit 20")*;

checking whether a memory card is inserted in each of the plural card slots, in order *(see*

*Tanaka, i.e. Fig. 2, 1-chip Microcomputer 28 and para. [0047] discloses that 1-chip*

*microcomputer controls the operation of entire printer device; and Fig. 3, Steps S302 – S304;*

*and in para. [0061] discloses that "... it is sequentially determined whether or not a memory*

*card containing image data readable and displayable to each card slot has been inserted therein*

*...")*; and

determining which card slot has been set to have a priority relative to others of the plural

card slots *(see Tanaka, i.e. Fig. 2, 1-chip Microcomputer 28 and para. [0047] discloses that 1-*

*chip microcomputer controls the operation of entire printer device; and para. [007] discloses*

*that "... each card slot is assigned in advance  a priority number, ... the card slot 1(drive A), the*

*card slot 2 (drive B), and the card slot 3 (drive C) are arranged in order from the highest*

*priority.  The process of determining whether or not a memory card has been inserted in the*

*process flow is performed in the priority order..."; also see Fig. 3-5 for further details)*,

wherein, in case where first memory is inserted in a first checked card slot which is first

checked in the checking step, the first checked card slot in which the first memory card is

inserted is set as the accessible card slot *(see Tanaka, i.e. Fig. 4, Step S401, checking if Card A is*

*being inserted, and if Yes, proceed to Step S402 for the process of read checking; and para.*

*[0077]-[0078] assigning of a priority number and further details)*,

if the determining step determines that the first checked card slot has been set to have

the priority, and wherein a second card slot in which a second memory card is inserted is set as

the accessible card slot if the determining step determines that the first checked card slot has not

been set to have the priority and the checking step finds that the second memory card is inserted

in the second card slot *(see Tanaka, i.e. in addition to illustration of Fig. 3 and 4; see Fig. 5, in*

*Steps S501, S510 and S519 for checking whether memory selection key has been pressed or "set*

*to have the priority"; following by steps, i.e. in Steps S504, S513 and/or S522 for checking*

*whether second memory or third memory is being inserted in the card slot)*,

wherein the second card slot is a card slot other than the first checked card slot in which

the first memory card is inserted *(see Tanaka, i.e. Fig. 1A and para. [0043] discloses that the*

*card slots to be three separate slots corresponding to Drives A, B and C respectively)*.

**With regard to claim 43,** the claim is drawn to an image processing apparatus according

to Claim 34, further comprising a printer configured to print an image based on the data read out

from the memory card read by the reading unit *(see Tanaka, i.e. Fig. 2, Printing Mechanism Unit*

*40 and para. [0056]-[0057])*.

**With regard to claim 44,** the claim is drawn to an image processing apparatus according

to Claim 43, further comprising an operation panel configured to accept a user operation,

wherein the printer prints the image based on the data read out from the memory card by the

reading unit when the operation panel accepts a user operation for printing of the data in the

memory card *(see Tanaka, i.e. Fig. 1B, discloses an operation panel 5; also para. [0037]*

*discloses that operation panel receives various instructions from a user)*.


### *Response to Arguments*

9.      Applicant's arguments field on June 29, 2009 (along with a request for continued

examination filed on July 28, 2009) with respect to previously rejected claims 34, 37, 40 and

newly-presented claims 43 and 44 have been considered but are moot in view of the new

ground(s) of rejection.


### *Conclusion*

10.     The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

   A.  Hattori (U.S. Patent No. 5,550,958) disclose a printer with extension memory capacity

       that provides instructions regarding memory installation.

   B.  Jones et al. (U.S. Patent No. 6,438,638 B1) disclose a flash-memory-card reader reads

       and writes multiple types of flash-memory cards.

11.     Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jacky X. Zheng whose telephone number is (571) 270-1122.  The

examiner can *normally* be reached on Monday-Friday, 8:30 a.m. - 5 p.m., Alt. Friday Off.

12.     If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Twyler L. Haskins can be reached on (571) 272-7406. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

13.     Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


/Jacky X. Zheng/
_____
Examiner, Art Unit: 2625
August 10, 2009


/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625